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January 22, 2004

To: Examiner Junghwa M. Im Fax No. (703) 872-9306
From: Stephen P. Burr Fax No. (315) 233-8320
Re: In re the Application of: Tomohiko SHIBATA, Keiichiro ASAI, Yukinori NAKAMURA and Mitsuhiro TANAKA
Serial No.: 10/017,325 Art Unit: 2811
Date Filed: December 14, 2001 Conf. No. 8198
Title: SEMICONDUCTOR ELEMENT
Our Docket No.: 782_206

You should receive 14 page(s) including this cover sheet. If you do not receive all pages, please call (315) 233-8300.

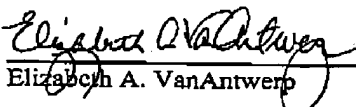
COMMENTS:

I hereby certify that the following paper(s) is/are being facsimile transmitted to Examiner Junghwa M. Im at (703) 872-9306 at the Patent and Trademark Office on *January 22, 2004*:

	<u>Paper</u>	<u># of Pages</u>
1.	Request for Continued Examination (in duplicate)	8
2.	Amendment	5

Total Pages (including cover page)

14


Elizabeth A. VanAntwerp

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Practitioner's Docket No.: 782_206

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: Tomohiko SHIBATA, Keiichiro ASAI, Yukinori NAKAMURA
and Mitsuhiro TANAKA

Ser. No.: 10/017,325

Group Art Unit: 2811

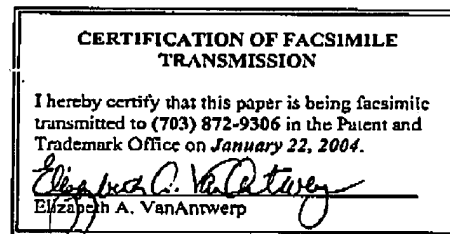
Filed: December 14, 2001

Examiner: Junghwa M. Im

Confirmation No.: 8198

For: SEMICONDUCTOR ELEMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114,
for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted (*check appropriate item(s) below*):

- i. ☒ Prior to abandonment of the application
- ii. ☐ Payment of the issue fee
 - ☐ Prior to payment of issue fee
 - ☐ Issue fee has been paid but a petition under § 1.313 was filed (copy attached).
- iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences
 - ☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
- iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or
 - ☐ Commencement of a civil action under 35 U.S.C. 146
 - ☐ Prior to the filing of such appeal or commencement of civil action
 - ☐ Such appeal or commencement of civil action has been terminated

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PREVIOUSLY SUBMITTED DOCUMENTS

3. Please Enter and Consider the following Previously Submitted Documents:

- ☐ Amendment filed _____
☐ Brief on Appeal filed _____
☐ Other:

ENCLOSURES

4. Enclosed herewith is/are:

- ☐ An Information Disclosure Statement and Form PTO-1449
☐ An Identification of Copending Application(s) and Form PTO-1449
☒ An Amendment
☐ New arguments
☐ New evidence in support of patentability
☐ Other:

FEE FOR REQUEST (37 C.F.R. § 1.17(e)).

5. This application is on behalf of:

- ☐ Small entity (and status is still as small entity) \$385.00
☒ Other than a small entity \$770.00

Continued Prosecution Request Fee \$770.00

FEE FOR CLAIMS

6. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

(1)	(2) Claims Remaining After Amendment	(3)	(4) Highest Number Previously Paid	(5) No. of Extra Claims Present	(6) Rate	(7) Additional Fee
TOTAL CLAIMS	14	MINUS	20	0	0	0
INDEP. CLAIMS	1	MINUS	3	0	0	0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						0

(c) ☒ No additional fee is required.**OR**(d) ☐ Total additional fee required is \$_____.

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EXTENSION OF TIME

7. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

Extension (Months)		Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	One Month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	Two Months	\$ 420.00	\$ 210.00
<input type="checkbox"/>	Three Months	\$ 950.00	\$ 475.00
<input type="checkbox"/>	Four Months	\$1,480.00	\$ 740.00

Extension Fee

\$ 00.00

If an additional extension of time is required, please consider this a petition therefor.

OR

- (b) ☒ Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE(S) DUE

8. The total fee(s) due is/are:

Continued Prosecution Fee (§ 1.17(e))	\$770.00
Fee(s) for additional claims (if any) (§ 1.16(b)-(d))	\$ _____
Extension of time fee (if any) (§ 1.17(a)(1)-(4))	\$ _____
Total Fee(s) Due:	\$770.00

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PAYMENT OF FEE(S) DUE


9. Please pay the fee(s) for this continued examination application as follows:

☐ Check is attached for the sum of \$_____.

☒ Charge Deposit Account No. 50-1446 the sum of \$ 770.00.

☒ Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to Deposit Account No. 50-1446.

Respectfully submitted,



Stephen P. Burr
Reg. No. 32,970

January 22, 2004

Date

SPB:SWC:jms

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